

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FRANCESCA GINO,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE, SRIKANT DATAR,
URI SIMONSOHN, LEIF NELSON, JOSEPH
SIMMONS, JOHN DOES 1-10, AND JANE
DOES 1-10,

Defendants.

Case No. 1:23-cv-11775-MJJ

DECLARATION OF JENNY K. COOPER

I, Jenny K. Cooper, hereby declare:

1. I am an attorney at the law firm of Ropes & Gray LLP and counsel for Defendants President and Fellows of Harvard College and Srikant Datar (“Harvard”).

2. I respectfully submit this Declaration in support of Harvard’s Partial Motion to Dismiss Plaintiff’s Amended Complaint filed with the Court contemporaneously herewith.

3. Attached hereto as Exhibit 1 is a true and correct copy of Harvard Business School’s Principles and Procedures for Responding to Matters of Faculty Conduct.

4. Attached hereto as Exhibit 2 is a true and correct copy of an article entitled “Does ‘could’ lead to good? On the road to moral insight,” authored by Ting Zhang, Francesca Gino, and Joshua D. Margolis, published on June 22, 2018, and available publicly at http://www.ting-zhang.com/uploads/2/1/7/3/21738392/zhang_gino_margolis_2018.pdf.

5. Attached hereto as Exhibit 3 is a true and correct copy of an article entitled “Budging beliefs, nudging behavior,” authored by Oliver P. Hauser, Francesca Gino, and Michael I. Norton, published on March 13, 2019, and available publicly at <https://doi.org/10.1007/s11299-019-00200-9>.

6. Attached hereto as Exhibit 4 is a true and correct copy of an article entitled “Feeling authentic serves as a buffer against rejection,” authored by Francesca Gino and Maryam Kouchaki, published on March 31, 2020, and available publicly at <https://static1.squarespace.com/static/55dcde36e4b0df55a96ab220/t/5ec3f9dd3eb0ce7dd704b710/1589901792051/Gino+and+Kouchaki+2020+-+Feeling+authentic+serves+as+a+buffer.pdf>.

7. Attached hereto as Exhibit 5 is a placeholder for a true and correct redacted copy of the final report of the HBS investigation committee regarding the allegations against Plaintiff, entitled “Confidential Memorandum Re: Final Report of Investigation Committee Concerning Allegations Against Professor Francesca Gino – Case RI21-001,” dated March 7, 2023, and attachments thereto, which Harvard seeks leave to file publicly, despite Plaintiff’s opposition, in its concurrently filed Motion for Leave to File Partially Under Seal.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 10, 2023

Respectfully submitted,

/s/ Jenny K. Cooper

Jenny K. Cooper (BBO# 646860)
Ropes & Gray LLP
800 Boylston Street
Boston, MA 02199-3600
Tel: (617) 951-7000
Jenny.Cooper@ropesgray.com

*Counsel for Defendants President and
Fellows of Harvard College and Srikant
Datar*

CERTIFICATE OF SERVICE

I hereby certify that on October 10, 2023, this document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: October 10, 2023

/s/ Jenny K. Cooper

Jenny K. Cooper